



FMCS

FEDERAL MEDIATION &
CONCILIATION SERVICE

Role & Function of the FMCS

FY 2019
(Updated Feb. 7, 2020)

Statutory Mission...



1

Created in 1947 as an Independent agency under Taft-Hartley Act.

2

Neither a regulatory nor an enforcement agency, but a neutral party designed to assist labor and management.

3

Make available full and adequate government facilities for conciliation, mediation and voluntary arbitration to aid and encourage [the parties] to settle differences through collective bargaining.



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Statutory Mission...



4 Helps parties resolve collective bargaining disputes which threaten the free flow of commerce.

5 Make its services available to Federal agencies to aid in the resolution of disputes through assistance, training, and the provision of neutrals.



FMCS Mission...



1

Promote sound and stable labor-management relations;

2

Prevent or minimize work stoppages;

3

Advocate collective bargaining, mediation, arbitration;



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Mission...



1

Advocate the art, science and practice of ADR;

2

Provide conflict resolution services;

3

Foster improved labor-management relationships.

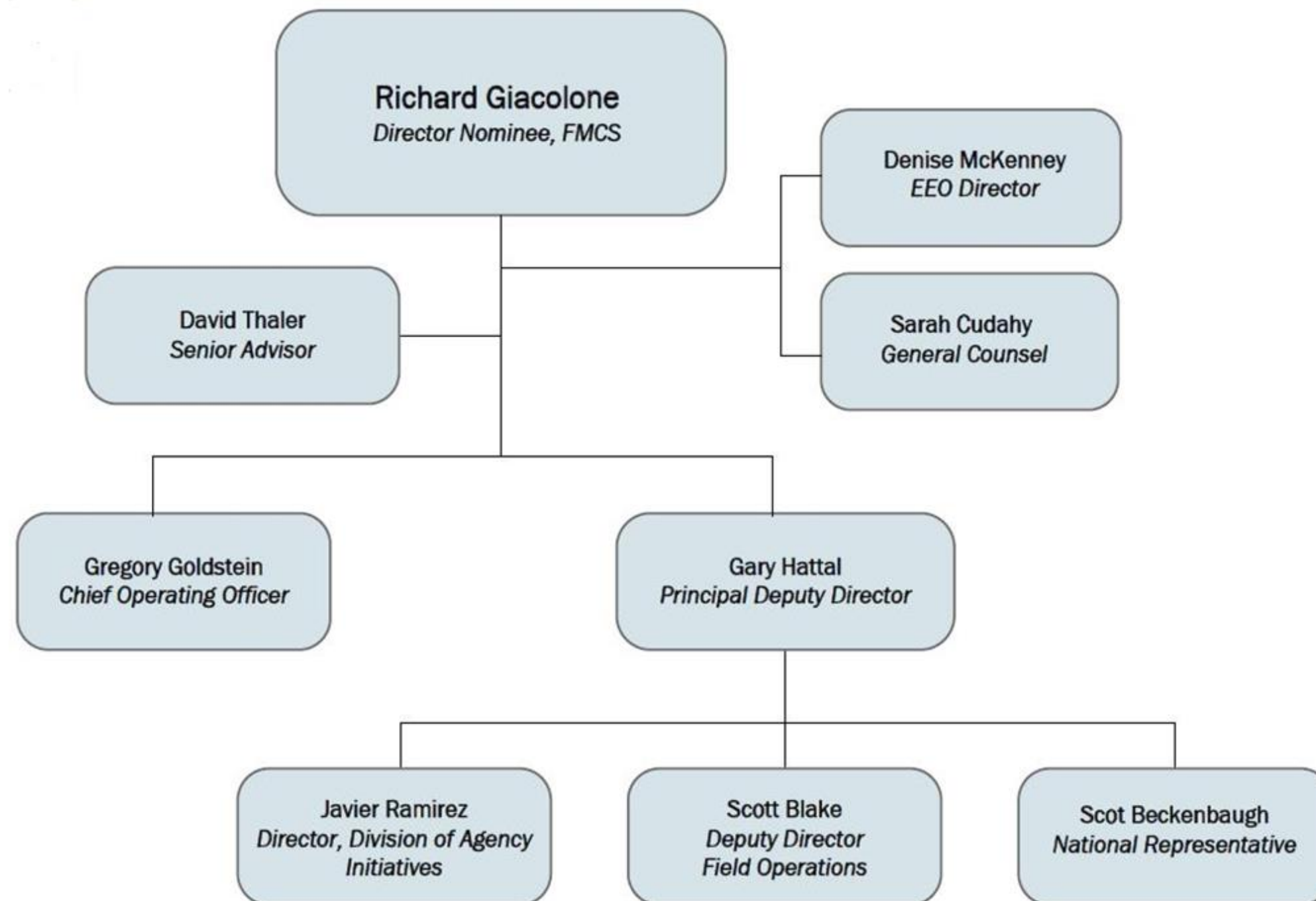


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FMCS Structure



Office of the Director



Richard Giacalone

FMCS Director Nominee

- Nominated by President Trump in January 2019 to lead the Agency
- Mr. Giacalone has mediated thousands of domestic labor and employment cases during his 23-year tenure, ranging from labor disputes at multiple symphonies and orchestras to bus and transportation disputes with coast-to-coast impact.



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Office of the Director



Gary Hattal

Assistant Director

- Appointed by Director Nominee Richard Giacalone
- He has served FMCS as a field mediator in three field stations (Washington, D.C., Oakland, CA and Seattle, WA), as director of Arbitration Services for the FMCS, as director of the FMCS Institute, and as a special assistant to the FMCS's former Agency Director.



Office of the Director



D. Scott Blake

Deputy Director, Field Operations

- Appointed by Director Nominee Richard Giacalone
- Previously served as the Regional Director for the Federal Mediation and Conciliation Service (FMCS) Philadelphia Region since 1995.
- Has served FMCS as a Commissioner since 1972



Office of the Director



Scot Beckenbaugh

Deputy Director/National Representative

- Serves as the Agency's "master mediator" of high profile collective bargaining disputes and is responsible for developing and coordinating increased engagement with FMCS customers for future relationship development and mediation opportunities in key industries and occupations.
- He has extensive experience in public sector dispute mediation, as well as in regulatory negotiations, public policy, land use, and civil rights disputes. A long-time member of the Association of Labor Relations Agencies, Mr. Beckenbaugh also serves on the ALRA Executive Board.



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Office of the Director



Gregory Goldstein

Chief Operating Officer

- Joined FMCS in 2018; Mr. Goldstein's 25+ year career in public service, business, and military life has included positions in the U.S. Marine Corps and Army National Guard, and most recently as a member of the Senior Executive Service, serving as Executive Officer and Director of Operations, Management and Technology Office within the Substance Abuse Mental Health Services Administration (SAMHSA).
- Responsible for overseeing FMCS's critical operations initiatives. Mr. Goldstein's considerable leadership and management expertise help to ensure proper development, execution, and coordination of the Agency's management and administrative functions.



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Office of the Director



David Thaler

Senior Advisor, Office of the Director

- Has trained labor and management partners in many industries in core relationship and communications skills to help them better administer their collective bargaining agreements.
- Internationally, Commissioner Thaler has trained officials from several U.S. and foreign government agencies in mediation and conflict management.

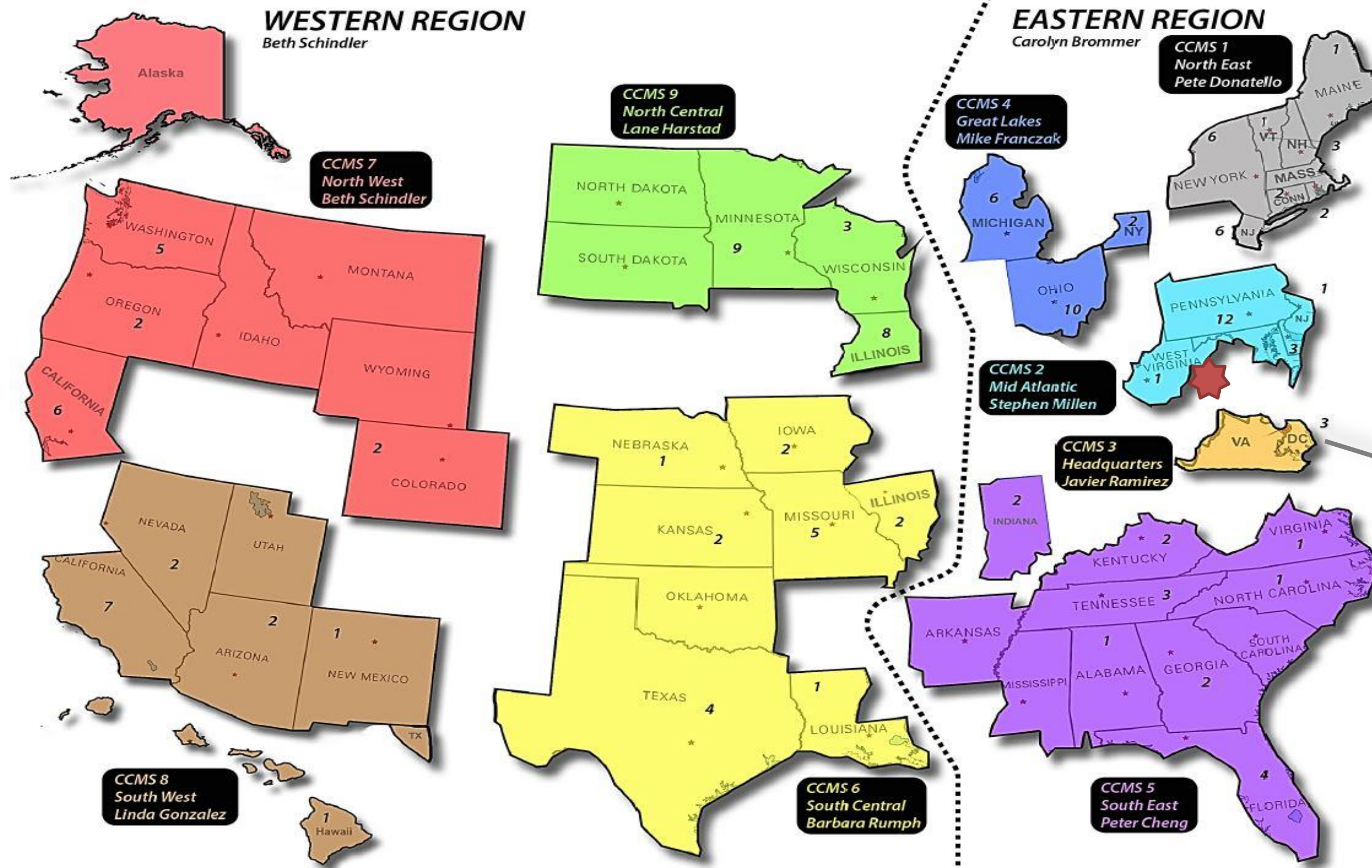


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FMCS Structure



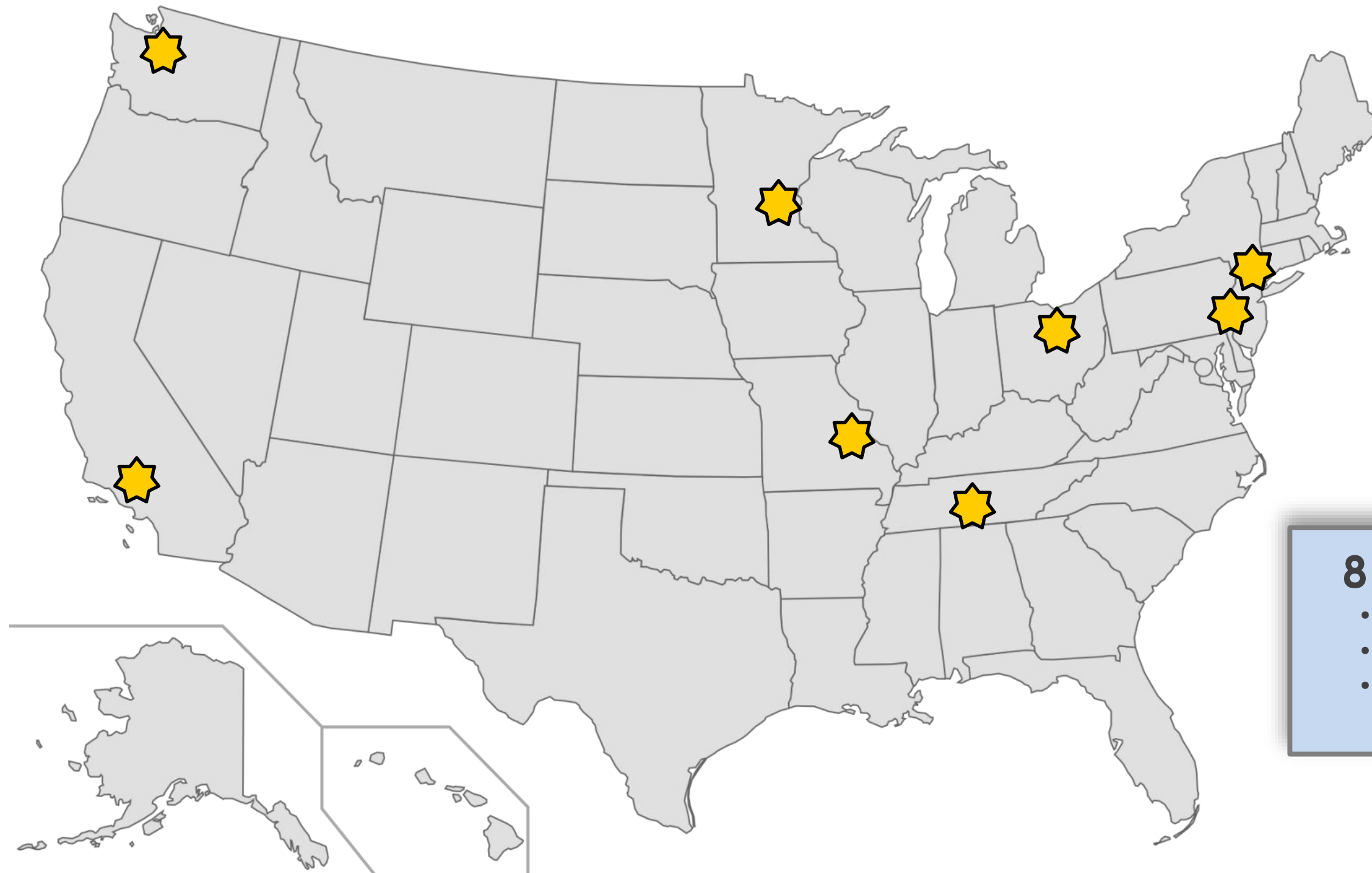
Headquartered in Washington, DC

- 71 HQ personnel*
- 220 FTEs nationally*

*As of Feb 7, 2020



FMCS Structure



8 District Offices*

- 63 Field/Local Offices*
- 159 field mediators*
- 10 district administrative staff*

*As of Feb 7, 2020

A man in a white shirt and blue tie stands in the center of a meeting room, gesturing with his hands as if speaking. He is surrounded by several people in business attire, including a woman in a white shirt on the left and a man in a white shirt on the right. The background shows a modern office environment with large windows and a white ceiling.

FMCS: How Can We Help You?

How Can Mediation Benefit You?

Mediation, the use of a third-party neutral, can help you “bridge the gap.”



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Mediation: An Effective Tool for Conflict Resolution

- Parties retain control of resolution
- Voluntary (in most cases)
- Informal vs. formal process
- Time efficient
- Cost effective



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A Federal Mediator Can:

Help Parties

- Clarify issues
- Define problems
- Generate options
- Explore alternatives



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A Federal Mediator Can:

Help Parties

- Keep talks moving forward
- Make suggestions
- Establish realistic expectations



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A man in a white shirt and blue tie is standing and speaking to a group of people in an office setting. He is gesturing with his hands. The background shows office desks and other people. A semi-transparent dark blue rectangle is overlaid on the image, containing the text "FMCS Services" in white serif font.

FMCS Services



FMCS Services

COLLECTIVE BARGAINING MEDIATION

- *Private, Public, and Federal Sectors*

RELATIONSHIP DEVELOPMENT AND TRAINING

- *Customized training for labor and management*

GRIEVANCE MEDIATION



FMCS Services

ARBITRATION SERVICES

- *Maintains a nationwide roster of highly qualified arbitrators and promotes the advancement of fair and effective labor arbitration*

EDUCATION, ADVOCACY, and OUTREACH

- *Of Collective Bargaining and Dispute Resolution Processes and Services*



FMCS Services

EMPLOYMENT MEDIATION and NON-COLLECTIVE BARGAINING ADR SERVICES

- *As an alternative to litigation of non-labor employment disputes, public policy and regulatory disputes*
- *Includes consultation, convening, design, training, and neutral services*



FMCS Services

CONFLICT MANAGEMENT AND PREVENTION SERVICES FOR GOVERNMENT

- *Outside the collective bargaining arena, FMCS provides employment mediation services to the Federal sector and to state and local governments.*
- *Our services help reduce litigation costs and promote better government decision-making.*





FMCS Services



SHARED NEUTRALS PROGRAM

- *Interagency mediation program administered by FMCS in the national capital area*
- *Provides collateral duty, non-FMCS neutrals to participating Federal agencies for mediation of non-complex cases*



FMCS Services

FMCS INSTITUTE

- *Unique Training*
- *The FMCS Institute for Conflict Management delivers conflict resolution training that's accessible, practical, experience-based and directed towards individuals and small groups of employees and managers.*

A man in a white shirt and blue tie stands in the background of a meeting room, smiling. In the foreground, a group of people are seated around a table, looking towards him. The scene is brightly lit with large windows in the background.

The Impact of Mediation on the Bargaining Process



FMCS By the Numbers

A National Look – FY 2019*

- Mediated **2,923** Collective Bargaining negotiations
- Mediated **2,441** high-impact Grievance Mediations
- Mediated **1,212** ADR cases

*FMCS Closed Case Data



FMCS By the Numbers

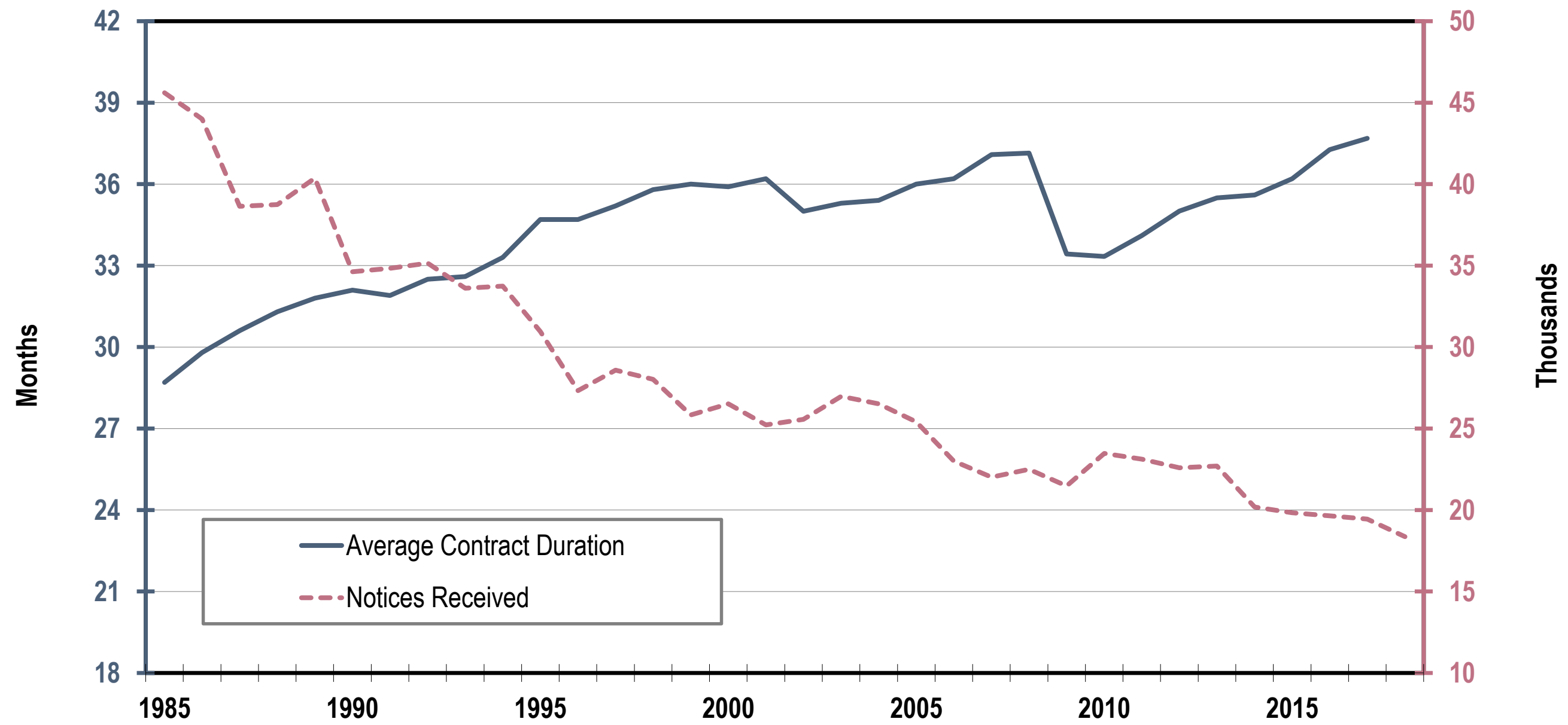
A National Look – FY 2019*

- Conducted **1,936** single or multi-day Training and Intervention Programs
- Provided **11,423** Arbitration Panels
- Appointed **4,209** Arbitrators

*FMCS Closed Case Data

Collective Bargaining Trends

Bargaining Notices Received and Contract Durations, 1985-2018

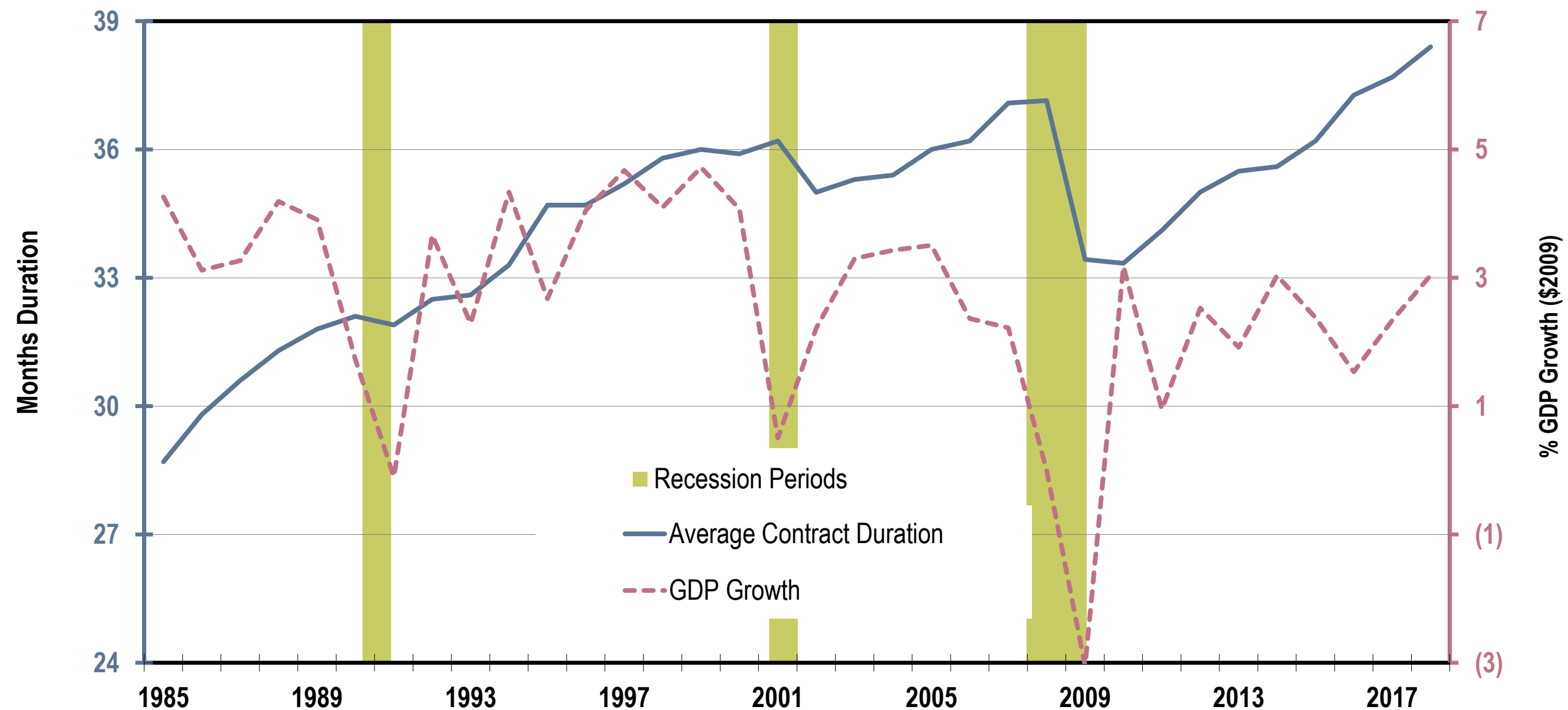


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Effect of Business Cycles

New Contract Durations v GDP Growth, FY 1985–2018





FMCS Services



ARBITRATION

- *Through its Office of Arbitration, FMCS administers a roster of approximately 1,000 highly qualified and experienced arbitrators.*
- *Arbitrators are selected for the roster based on standards of excellence in a process overseen by the Arbitration Review Board and subject to approval of the Agency Director.*



FMCS Services



ARBITRATION SERVICES

- In FY 2019, FMCS provided more than **11,423** arbitration panels to requesting parties, with **4,209** appointments from the FMCS roster by the requesting parties to hear their dispute.

Cooperative Relationships

Keys to Cooperative Relationships of Any Kind

1

COMMUNICATION

(Develop joint problem-solving teams)

2

COMMUNICATION

(Don't let problems fester)

3

COMMUNICATION

(Be honest about issues)

4

COMMUNICATION

(Know when to get help)



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THANK YOU.

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